

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

SHERI GOLTER,	)	
	)	
Plaintiff,	)	4:06 CV 3287
	)	
v.	)	
	)	
SQUARE D COMPANY,	)	ORDER
	)	
Defendant.	)	

The progression order in this case required counsel to report to the court regarding their clients' respective positions on mediation on or before June 29, 2007. Filing 16, Para. 10. That provision also provided: "In the event any party objects to the entry of a mediation reference order, such party shall, also not later than June 29, 2007, notify the undersigned by letter of the objection and the grounds therefor." No such reports were received from counsel; from that, the court inferred that no objections to mediation existed, and a mediation reference order was entered. Filing 34.

Subsequently, defendant filed an objection to the mediation, stating that it opposes mediation at this time. Although the objection should have been raised in a report to the court in accordance with the progression order, the nature of the defendant's objection makes it clear mediation would not be productive at this point. I shall therefore withdraw the mediation reference order. Counsel are cautioned, however, to comply with the requirements of the court's progression orders.

IT THEREFORE HEREBY IS ORDERED, The defendant's objection, filing 35, is sustained, and the mediation reference order, filing

34, is withdrawn and set aside. The motions pending at the time of entry of the mediation reference order are reinstated.

DATED August 10, 2007

BY THE COURT:

s/ *David L. Piester*  
United States Magistrate Judge